

(626) 799-9797

tprlaw@att.net

Ref. No. or File No.

MOUNTAIN MIKES PIZZA 11-13-04

Insert name of court, judicial district or branch court, if any

OAKLAND DIVISION

OAKLAND, CA 94612-5212

PLAINTIFF/PETITIONER

KINGVISION PAY-PER-VIEW, LTD.

DEFENDANT/RESPONDENT:

GOGRI

## PROOF OF SERVICE

DATE: \_\_\_\_\_

TIME

DEPT/DIV

CASE NUMBER

C07-05738 MJJ

2. I served copies of the

SUMMONS IN A CIVIL CASE, COMPLAINT; CERTIFICATION AS TO INTERESTED PARTIES; ORDER  
SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; STANDING ORDER FOR  
CASES INVOLVING SEALED OR CONFIDENTIAL DOCUMENTS; STANDING ORDER; CONTENTS OF JOINT  
CASE MANAGEMENT STATEMENT

3. a. Party served: JAYANTILAL KANJI GOGRI, INDIVIDUALLY AND D/B/A MOUNTAIN MIKE'S PIZZA

4. Address where the party was served: 404 MIWOK COURT  
FREMONT, CA 94539

5. I served the party  
b. **by substituted service.** On: January 11, 2008 at 06:00 pm I left the documents listed in item 2  
with or in the presence of "JANE DOE" (REFUSED NAME) - CO-OCCUPANT

## PHYSICAL DESCRIPTION OF PERSON SERVED:

Age: 40+    Weight: 200+    Hair: BLACK    Race: MD. EASTERN

Sex: F      Height: 5'4"      Eyes: BROWN

**Marks:**

(2) **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the person served. I informed him or her of the general nature of the papers.

(4) A declaration of mailing is attached.

(5) I attach a **declaration of diligence** stating actions taken first to attempt personal service, under the following Code of Civil Procedure section :

SERVICE MADE PURSUANT TO FRCP 4 (e) (2)

- ### 7. Person who served papers

- a. J. BURKE  
b. ABSOLUTE SERVICE OF LOS ANGELES  
1301 WEST SECOND STREET, SUITE 204  
LOS ANGELES, CA 90026  
c. (213) 481-7334

- d. **The fee** for service was: **\$95.00**  
e. I am: (3) registered California process server.  
(i) independent contractor  
(ii) Registration No.: **555**  
(iii) County: **ALAMEDA**

8. **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: January 17, 2008

J. BURKE

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address) <b>THOMAS P. RILEY, ESQ., Bar No.: 194706 (626) 799-9797</b> <b>THOMAS P. RILEY, LAW OFFICES OF</b> <b>1114 FREMONT AVENUE</b> <b>SOUTH PASADENA, CA 91030</b> Ref. No. or File No. <b>tprlaw@att.net</b>		JUDGE/CLERK USE ONLY	
ATTORNEY FOR (Name): <b>PLAINTIFF</b>		<b>MOUNTAIN MIKES PIZZA 11-13-04</b>	
Insert name of court, judicial district or branch court, if any <b>UNITED STATES DISTRICT COURT, NORTHERN DISTRICT</b> <b>OAKLAND DIVISION</b> <b>1301 CLAY ST., SOUTH TOWER</b> <b>OAKLAND, CA 94612-5212</b>			
PLAINTIFF <b>KINGVISION PAY-PER-VIEW, LTD.</b>			
DEFENDANT: <b>GOGRI</b>			
<b>DECLARATION</b> <b>RE: DILIGENCE</b>	DATE	TIME:	DEPT/DIV
			CASE NUMBER: <b>C07-05738 MJJ</b>

I received the within process on December 18, 2007 and that after due and diligent effort I have been unable to personally serve said party. The following itemization of the dates and times of attempts details the efforts made to effect personal service. Additional costs for diligence are recoverable under CCP §1033.5 (a)(4)(B).

Party Served: **JAYANTILAL KANJI GOGRI, INDIVIDUALLY AND D/B/A MOUNTAIN MIKE'S PIZZA**  
 Residence: **404 MIWOK COURT, FREMONT, CA 94539**  
 Business: **Business address was not known at the time of service.**

As enumerated below:


- December 21, 2007 04:00 pm  
NO ANSWER (RESIDENCE).
- December 24, 2007 10:32 am  
NO ANSWER (RESIDENCE).
- December 29, 2007 07:45 am  
NO ANSWER (RESIDENCE).
- January 1, 2008 10:28 am  
NO ANSWER (RESIDENCE), NEIGHBORS NO HELP.
- January 4, 2008 08:50 pm  
NO ANSWER (RESIDENCE), PREMISES DARK.
- January 5, 2008 01:30 pm  
NO ANSWER (RESIDENCE), NO ACTIVITY.
- January 8, 2008 05:20 pm  
NO ANSWER (RESIDENCE).
- January 11, 2008 05:59 pm  
NOT HOME (RESIDENCE) PER "JANE DOE" (REFUSED NAME), CO-OCCUPANT.
- January 11, 2008 06:00 pm  
SUBSTITUTED SERVICE. RECIPIENT INSTRUCTED TO DELIVER DOCUMENTS TO DEFENDANT AS NAMED.

(CONTINUED ON NEXT PAGE)

<b>Person who served papers</b> <b>J. BURKE</b> <b>ABSOLUTE SERVICE OF LOS ANGELES</b> <b>1301 WEST SECOND STREET, SUITE 204</b> <b>LOS ANGELES, CA 90026</b> <b>(213) 481-7334</b>	<b>The fee for service was: \$95.00</b> I am: registered California process server. independent contractor Registration No.: 555 County: <b>ALAMEDA</b>
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **January 17, 2008**

  
**J. BURKE**



THOMAS P. RILEY, ESQ., Bar No.: 194706 (626) 799-9797

THOMAS P. RILEY, LAW OFFICES OF

1114 FREMONT AVENUE

tprlaw@att.net

SOUTH PASADENA, CA 91030

Ref. No. or File No.

ATTORNEY FOR (Name):

PLAINTIFF

MOUNTAIN MIKES PIZZA 11-13-04

Insert name of court, judicial district or branch court, if any:

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT

OAKLAND DIVISION

1301 CLAY ST., SOUTH TOWER

OAKLAND, CA 94612-5212

PLAINTIFF:

KINGVISION PAY-PER-VIEW, LTD.

DEFENDANT:

GOGRI

DECLARATION  
RE: DILIGENCE

DATE

TIME:

DEPT/DIV

CASE NUMBER:

C07-05738 MJJ

## Person who served papers

J. BURKE

ABSOLUTE SERVICE OF LOS ANGELES

1301 WEST SECOND STREET, SUITE 204

LOS ANGELES, CA 90026

(213) 481-7334

The fee for service was: \$95.00

I am: registered California process server.

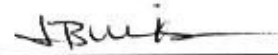
Employee or independent contractor

Registration No.: 555

County: ALAMEDA

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: January 17, 2008

  
 J. BURKE

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Title): <b>THOMAS P. RILEY, ESQ., Bar No.: 194706</b> (626) 799-9797 <b>THOMAS P. RILEY, LAW OFFICES OF</b> <b>1114 FREMONT AVENUE</b> <b>SOUTH PASADENA, CA 91030</b> Ref. No. or File No: <b>tprlaw@att.net</b>		FOR COURT USE ONLY Case 3:07-cv-05738-MHP Document 5 Filed 01/22/2008 Page 4 of 4	
ATTORNEY FOR (Name): <b>PLAINTIFF</b>		<b>MOUNTAIN MIKES PIZZA 11-13-04</b>	
Insert name of court, judicial district or branch court, if any: <b>UNITED STATES DISTRICT COURT, NORTHERN DISTRICT</b> <b>OAKLAND DIVISION</b> <b>1301 CLAY ST., SOUTH TOWER</b> <b>OAKLAND, CA 94612-5212</b>			
PLAINTIFF/PETITIONER: <b>KINGVISION PAY-PER-VIEW, LTD.</b>			
DEFENDANT/RESPONDENT: <b>GOGRI</b>			
<b>PROOF OF SERVICE BY MAIL</b>		DATE:	TIME:
		DEPT/DIV:	CASE NUMBER: <b>C07-05738 MJJ</b>

I am a citizen of the United States and employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1301 West Second Street, Suite 204, Los Angeles, CA 90026.

On **January 14, 2008**, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made, I mailed copies of the:

**SUMMONS IN A CIVIL CASE, COMPLAINT; CERTIFICATION AS TO INTERESTED PARTIES; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; STANDING ORDER FOR CASES INVOLVING SEALED OR CONFIDENTIAL DOCUMENTS; STANDING ORDER; CONTENTS OF JOINT CASE MANAGEMENT STATEMENT**

to the defendant in said action by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at LOS ANGELES, California, addressed as follows:

-  
**JAYANTILAL KANJI GOGRI, INDIVIDUALLY AND D/B/A MOUNTAIN MIKE'S PIZZA**  
**404 MIWOK COURT**  
**FREMONT, CA 94539**

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid at LOS ANGELES, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

**Person who served papers**


**M. MANCHESTER**  
**ABSOLUTE SERVICE OF LOS ANGELES**  
**1301 WEST SECOND STREET, SUITE 204**  
**LOS ANGELES, CA 90026**  
**(213) 481-7334**

**The fee for service was: \$95.00**

I am: registered California process server.  
 employee  
 Registration No.: **5211**  
 County: **LOS ANGELES**

**I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **January 17, 2008**

  
**M. MANCHESTER**